

III. REMARKS

Claims 1-21 are pending in this application. By this amendment, claims 1, 8 and 14 have been amended. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 14 and 18-21 are rejected under 35 U.S.C. §102(c) as allegedly being unpatentable over Wu *et al.* (U.S. Patent No. 6,473,558 B1), hereafter “Wu.” Claims 1-13 and 15-17 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Wu in view of Kim (U.S. Patent No. 6,466,733 B1), hereafter “Kim.”

A. REJECTION OF CLAIMS 14 AND 18-21 UNDER 35 U.S.C. §102(e)

With regard to the 35 U.S.C. §102(e) rejection over Wu, Applicants assert that the references cited by the Office do not teach each and every feature of the claimed invention. For example, with respect to independent claim 14, Applicants respectfully submit that the Wu fails to teach a continuous swapping of the first address and the second address on a frame by frame basis such that every frame in the first buffer is immediately followed by a frame in the second buffer and every frame in the second buffer is immediately followed by a frame in the first buffer until an end of the video stream. In contrast, the passage of Wu cited by the Office discloses that

frames in a third buffer (i.e., the current buffer C, 456) intercede between those of the forward and the backward buffer. Accordingly, every frame in the forward buffer of Wu is not immediately followed by a frame in the backward buffer and every frame in the backward buffer is immediately followed by a frame in the forward buffer.

In contrast, the claimed invention includes “...wherein a set of frames of the video stream comprising at least one I frame and at least zero P frames is decoded for trick mode playback...to the first buffer and the second buffer in a strictly alternating fashion based on a continuous swapping of the first address and the second address on a frame by frame basis such that every frame in the first buffer is immediately followed by a frame in the second buffer and every frame in the second buffer is immediately followed by a frame in the first buffer until an end of the video stream.” Claim 14. As such, unlike Wu, in which a third buffer is used, the claims invention immediately follows a frame in the first buffer with a frame in the second buffer and vice versa. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claim 14, Applicants respectfully submit that Wu also fails to teach that its decoding is done without use of B frames. In contrast, the passage of Wu cited by the Office specifically discloses that B frames are used and does not disclose that its decoding can be accomplished without use of B frames. Accordingly, Applicants respectfully request that the Office’s rejection be withdrawn.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features.

Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

B. REJECTION OF CLAIMS 1-13 and 15-17 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejection over Wu in view of Seki and Kim, Applicants assert that the combined features of the references cited by the Office fail to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1 and 8, as argued herein with respect to independent claim 14, Applicants respectfully submit that Wu fails to teach or suggest "...decoding a set of frames of the video stream for trick mode playback...to the first buffer and the second buffer in a strictly alternating fashion by continuously swapping the first address and the second address on a frame by frame basis such that every frame in the first buffer is immediately followed by a frame in the second buffer and every frame in the second buffer is immediately followed by a frame in the first buffer until an end of the video stream." Furthermore, with respect to independent claim 8, as argued herein with respect to independent claim 14, Applicants respectfully submit that Wu fails to teach or suggest that its decoding is done without use of B frames. Kim does not cure this deficiency.

Further, the cited references fail to teach or suggest "...disengaging a frame synchronization signal within the MPEG-2 decoder." The Office admits that Wu does not teach this feature. Instead, the Office relies on a passage of Kim, which the Office states removal of a one byte synch *from the trick play data*. However, as argued previously, this one byte synch is a byte in the trick play data itself and is removed from the data itself and, as such, is not a signal

that is within the MPEG-2 decoder. Conversely, elsewhere Kim specifically teaches that trick play data is recorded according to a track signal and this track signal is never taught as being disengaged. Col. 7, lines 57-65. Thus, Kim does not teach disengaging of a frame synchronization signal within the MPEG-2 decoder. Accordingly, Applicants respectfully request that the Office's rejection be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



Date: May 8, 2008

Hunter E. Webb
Reg. No.: 54,593

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)

hew